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## **Intergovernmental Relations on Immigrant Integration in Italy. Insights into the emerging framework of institutionalization from Piedmont and South Tyrol**

ABSTRACT (word count: 181)

The article analyses the main features of intergovernmental relations (IGR) on immigrant integration in Italy considering the two more specific sub-fields of the reception of asylum seekers and refugees and of legal migrants for economic or family reasons. To test the explanatory hypotheses put forward in the literature (Introduction to this SI), we consider a region with an ordinary statute, Piedmont, and an autonomous province, South Tyrol.

We find an increasing intensity and institutionalization of IGRs, whereas multilateral interaction prevails in relation to ordinary regions, and bilateral interaction in relation to autonomous regions. IGRs in relation to asylum seekers appear more conflictive than in relation to economic and family migrants, in particular between ordinary regions. The analysis shows a poor explanatory performance of hypotheses related to the constitutional structure and the distribution of competence between the central state and regions, whereas other factors such as party (in)congruence, European integration and salience of identity claims raised by regionalist parties have a stronger explanatory power. Issue salience in general emerges as important additional explanation to account for the increasing intensity of IGR, their institutionalisation and conflictive nature.

**KEY WORDS:** IGR, Immigrant Integration, asylum seekers, intergovernmental relations, Italy, Piedmont, South Tyrol.

## Introduction

Studying intergovernmental relations (IGR) on immigrant integration in Italy is at once challenging due to the complex structure of the Italian state and its asymmetric decentralization, and highly topical, because of the salience of immigration since the early 1990s, which has gained further complexity and topicality with the arrival of asylum seekers following the Arab Spring in 2011. Hence, the quest for coordination between the different governmental levels, based on principles of efficiency, legitimacy and accountability, has in Italy turned into a constant challenge for immigrant integration policy.

So far, IGRs in Italy have been studied primarily from a legal point of view, while systematic analyses of IGR dynamics in the migration policy field are almost non-existent (for a partial exception see: Rossi, Biondi Dal Monte and Vrenna, 2013). Existing studies have focused primarily on the regions' different approaches towards immigrant integration, exploring either the ordinary regions or the autonomous regions (on ordinary regions see for instance: Campomori and Caponio, 2014; on autonomous ones: Carlà, 2013; Wisthaler, 2016; Medda-Windischer and Carlà, 2015). This article takes a different approach: it aims to shed light on the features and dynamics of intergovernmental relations on immigrant integration in Italy and to assess a set of explanatory hypotheses derived from literature on federalism and scholarly research on IGR (see the Introduction to this Special Issue), as well as on public policy more generally. To this end, we consider two Italian regions, i.e. Piedmont, a region with an ordinary statute, and South Tyrol, an autonomous province with a special statute. As we shall see more in depth below, this case selection takes into account not only the specific constitutional structure of the Italian state, but presents also a good level of variation on the other factors that are likely to shape the dynamics of IGR on immigrant integration in Italy.

The article is organized as follows. The first section provides background information on our understanding of IGRs, the methodological choices we made and the research hypotheses and the expectations deriving from our case selection. We then describe the distribution of the policy making powers on immigrant integration between the Italian state and its regions, both ordinary and autonomous, and we provide more in-depth details on the subfield of reception policies. In the third section, the focus shifts to the description of the IGR institutional structure, with specific attention to what is, by Italian policy makers, considered as 'the immigrant integration policy field'. In the fourth section, we undertake a first-hand analysis of IGR in the reception of economic and family migrants (civic integration courses and language education) and of asylum-seekers (housing and emergency assistance) with a particular focus on the two selected regions. Finally, we assess the validity of the hypotheses.

Methodologically, the paper relies on a qualitative text analysis of the official regional policy documents on immigrant integration in both Piedmont and South Tyrol, documents and protocols of the discussions focussing on immigrant integration or asylum within the State-Regions conference and interviews with civil servants and key stake holders from the relevant sectors.<sup>1</sup> In particular, part of the data has been collected within the following projects: 'The Multi-level Governance of Refugees and Asylum Seekers' reception'<sup>2</sup> and 'the FEI and the Integration governance'.<sup>3</sup>

### **Methodological note. Case selection and research design**

For the purpose of this article, IGRs are defined as processes and institutions through which governments, and in particular the central government and the regional governments, interact (Phillimore 2013, 229). As already anticipated above, Italy is a particularly interesting case to

analyse IGRs on immigrant integration, first due its complex constitutional structure and the ongoing decentralization process, and second due to the specific set up of competence regarding the issue of immigrant integration.

As regards the institutional structure, Italy has developed over the last twenty years from a unitary state to a strongly decentralized, or some even argue, a quasi-federal state (Bobbio, 2005: 29). Yet it still lacks an institution for shared rule such as a second chamber. Moreover, decentralisation is asymmetric, since the distribution of legislative powers varies between 'ordinary' regions and regions with a special autonomy statute. And even among ordinary regions themselves, the way powers are used varies substantially: whereas some regions are constantly challenging the margins of manoeuvre at their disposal, others are more reluctant and cautious (Vassallo, 2013). On the other hand, from the point of view of immigration integration policy, Italy turned into an immigrant destination at the beginning of the 1970s yet national governments have for a long time ignored the issue of integration, de facto leading the regions to take over responsibilities in the field. As we shall see more in details below, this has led to a progressive regionalization of immigrant integration without an effective national coordination.

A first goal of this article is that of describing IGR on immigrant integration in Italy under four main aspects (see Hepburn and Adams, Introduction to this special issue), i.e.: (1) the extent to which intergovernmental processes on immigrant integration are institutionalized; (2) whether there is a tendency towards multilateral coordination at both the horizontal, i.e. between regional tiers of government, and vertical, i.e. between the regions and the central state, or if bilateral relations prevail; (3) the extent to which regional and national authorities interact on the issue of immigrant integration; (4) and whether these relations are characterised by collaboration or conflict.

Hence, in a second stance, we aim at explaining the specific configuration that these features take in the Italian case starting from the hypotheses presented by Hepburn and Adam in the Introduction to this Special Issue. The first two hypotheses regard the institutional and constitutional structure of the state. According to H1, federal structures are more likely to lead to multilateral negotiations, a greater degree of institutionalization of IGR, high interaction and conflictual relations between levels of government, while regionalised and unitary states are more likely to lead to bilateral negotiations, non-institutionalised IGR, low interaction and less conflict between units. On the other hand, H2 emphasises the actual competence allocation on the specific issue of immigrant integration. According to this hypothesis, if competences are exclusively allocated to one level, either state or substate, there will be an absence of interaction and institutionalisation, while if competences are shared interaction and institutionalisation will increase.

Along with institutional features, H3 and H4 aim at testing the relative impact of party politics dynamics on IGR. More specifically, H3 regards political (in)congruence: if the same political parties are in office at the state and regional level, IGR will take a more interactive and collaborative shape; whereas, if different political parties are in office, conflict will be more likely. H4 emphasises the presence of substate claims to distinctiveness or autonomy, whereby conflictual relations are more likely when there is an autonomy-seeking/regionalist party in government at the regional level.

To assess the validity of these hypotheses, as anticipated above we consider a region with an ordinary statute, Piedmont, and an autonomous province with a special statute, South Tyrol.<sup>1</sup> These

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<sup>1</sup> The reform of the South Tyrolean autonomy statute in 1972 and the constitutional reform of 2001 shifted the majority of the regionalized competencies from the region to the two provinces South Tyrol and Trentino, leaving the region just as formal umbrella. As a consequence, in terms of competence allocation, the two autonomous

regions present a different constitutional status and allocation of competence, as described more in details in the next section, which allow us to assess the relevance of the institutional factors specified by H1 and H2. With respect to political factors, our analysis has focused on the 2000-2015 period, which has been characterised at a national level by the prevalence of centre-right wing majorities. Table 1 shows periods of congruence/incongruence with the majorities governing in the two considered regions. Whereas political incongruence prevails in the case of South Tyrol (with the only exception of the Second Prodi government), Piedmont is a case of a ‘swing region’, which enable us to observe IGR dynamics both in periods of political congruence and political incongruence.

Table 1 here

Our case selection enable us to assess also the validity of H4 on the presence of regionalist parties supporting substate claims to distinctiveness or autonomy. South Tyrol is characterized by the presence of regionalist and secessionist parties, which base their claims on the cultural-linguistic diversity of the German speaking population of the province, even though the South Tyrolean People’s Party, SVP, that has been governing for the last 25 years, is a regionalist and moderate-conservative party. In Piedmont on the other hand, the regionalist (but not secessionist) *Lega Nord* become the party leading the cente-right wing governmental coalition in 2010. Yet, contrary to South Tyrol regionalist parties, in the last decade the Lega Nord has abandoned claims on cultural distinctiveness of ‘Padania’, while becoming more of a xenophobic and conservative right wing party (see e.g. Garau 2015).

Another institutional factor taken into account by Hepburn and Eve in the Introduction to this Special Issue is supranational integration, i.e., the EU pressure on state governments to promote cooperation and convergence with other tiers of government on immigrant integration policies (H5), which should lead to greater institutionalization, multilateral negotiations, interaction and collaboration between governmental levels. Hence we should expect that, independently of Italian regions’ constitutional status, allocation of competences, (in)congruence in political majorities at government and the presence of regionalist parties supporting claims to cultural distinctiveness, the EU will favour the emerging of more collaborative and interactive IGR.

Along with these hypotheses, in this article we consider also whether issue salience impacts on the development of IGRs. An issue becomes salient from a political point of view when it enters in the “public agenda”, therefore achieving a high level of public interest and visibility (Cobb, Ross and Ross, 1976). Salience can depend on media coverage (Epstein and Segal, 2000) or on the way policy actors (e.g. parties, lobbies etc.) define a certain issue (Kingdon 1984). In any case, it is not simply a matter of problem pressure, but rather depends on the perceived relevance of an issue by political actors. Hence, we assume that if an issue is perceived as salient by political actors either at a regional or national level, IGR dynamics are likely to become more conflictual (H6). It can be therefore hypothesised that in South Tyrol, which is a case of a minority nation and presents similarities with other such cases considered in this special issue (i.e. Catalonia, Flanders and Quebec; see also: McGarry, Moor and Keating, 2006; Pallaver, 2010), matters of linguistic reception are likely to be perceived as particularly contentious by political actors and in particular by regionalist parties, independently of the number of people involved (Jeram, van der Zwet, Wisthaler 2016; Wisthaler 2016).

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provinces have the same standing as the other four Italian autonomous regions and hence South Tyrol has de facto an equal standing as an autonomous region.

To assess these six hypotheses, we focus our analysis on reception policies and, more specifically, on its two main subfields, i.e.: the reception of asylum seekers and refugees and of legal migrants for economic or family reasons. Both South Tyrol and Piedmont have an immigrant population of 9 to 10% (www.demostat.it, 2016), in other words, both stand above the national average (8.2 % ISTAT, 2016); however, in 2016 Piedmont hosted the 8.1% of asylum seekers present in Italy, that is 14,347 in absolute terms, while South Tyrol only hosted the 1% or 1,681 persons.

### **The Constitutional Structure and the Division of Competences on Immigrant Integration in Italy**

In Italy, the process of decentralisation is an ongoing feature of the last 25 years, and “federalism in the making” (Palermo, 2010) or the “failed federalization” (Baldini and Baldi, 2014) has led to great asymmetry of status, power, and financing among the Italian regions.

By 1948 the Italian constitution had established twenty regions (art. 131), five of them enjoying a higher degree of autonomy than the others (art. 116; Aosta Valley, Trentino-Alto Adige, Friuli-Venezia Giulia, Sicily and Sardinia). Called ‘special’ or ‘autonomous’ regions, they differ substantially among themselves with regard to their degree of administrative, legislative and financial autonomy. The 15 ordinary regions were only concretely set up in 1970.

The development towards a federal system was reinforced by the Bassanini-laws approved between 1997 and 2001 (nr. 1/1999 and 2/2001) and the 2001 Constitutional reform regulating relations between the ordinary regions and the State (law nr. 3/2001). Nevertheless, as argued by Baldini and Baldi (2014), the implementation of these reforms has always been inconsistent and controversial, especially from a political point of view, since the idea of federalism entered the political agenda to counter the emergence of a strong regionalist party, i.e. the *Lega Nord* (see also Lecours and Arban, 2015). Following Hooghe, Marks and Schakel’s classification (2008), Italian ordinary regions, while capable of exercising a high level of autonomy in their own jurisdiction (self-rule), have always experienced limited authority in the country as a whole, i.e. in the national decision-making and over the constitutional set-up (shared rule).

As far as immigration and immigrant integration issues are concerned, authority over immigration, asylum, the legal status of Third Country Nationals and citizenship is centralized (art. 117, constitution). With regard to social inclusion policies, since 1998, following the approval of the so called Consolidated Act on Immigration (Legislative Decree n. 142/1998) the regions have shared legislative and administrative competence, and can therefore pursue their own programmes within the overall priorities set by the central state.

The Constitutional reform of 2001 has further enhanced regional autonomy since it fully regionalized legislative and administrative competences on matters of social policy more generally, immigrant integration included. As is clear, the Constitutional reform de facto re-aligned the formal status of the two types of regions in the social policy field (Vassallo, 2013). However, some differences remain: autonomous regions are vested with regional competence in areas that are otherwise under national authority such as culture and education; moreover, they maintain a financial autonomy that ordinary regions do not have (Palermo, 2008).

In the following we describe the competency division for the sub-area of reception policies in Italy. As we shall see, compared to the early 2000s, in this sub-area the last decade has been characterized by the emerging of an increasingly centralized scenario, where the regions, both ordinary and autonomous, have lost considerable margins of manoeuvre and most competences have become administratively shared.

## *Reception Policies*

The division of competence in this sector of integration policy differs according to the migrants' channel of entry, i.e. if legal migrants admitted in the country for work purposes or family reunion, or if migrants seeking asylum who enter irregularly in Italy.

Regarding the first category of migrants, in 2009 a national immigrant reception measure was introduced for the first time, i.e. the Integration Agreement (*Accordo di Integrazione*), a kind of “civic integration policy” (Joppke, 2007). This agreement has to be signed at the Prefecture when the migrant requests the first residence permit, and commits he/she to fulfil specific integration requirements within two years in order to obtain the permit's renewal, i.e. the learning of the Italian language and the acquisition of notions on Italian history, institutions and civic culture. This new state policy was implemented from March 2012 onwards. The regions, both ordinary and autonomous, have administrative authority and are thus responsible for the implementation of the language and civic culture courses.

Regarding the reception of asylum-seekers and refugees, the responsible authority is the Ministry of the Interior, which should, through the Prefectures, ensure first emergency measures, especially in cases of sudden or mass arrivals. Since 2002, the reform of the Consolidated Italian Immigration Act introduced a specific Programme for the reception of asylum-seekers and refugees (SPRAR, *Sistema di Protezione Rifugiati e Richiedenti Asilo*). The municipalities willing to host a SPRAR accommodation centre or integration project can apply for funding from the Ministry of Interior. The regions had no role in this process. Nevertheless, some ordinary regions have promoted specific integration projects for asylum-seekers and refugees in their annual integration programmes even though they had no obligation to do so. Piedmont for instance, promoted such programmes in the early 2000s. Also South Tyrol, which has regionalized competence on matters of housing and social affairs, has since the beginning of 1990s included refugees and asylum seekers among marginalized groups providing them with a facilitated access to welfare benefits (Wisthaler, 2016).

The massive arrivals from 2011 onwards put the SPRAR programme under pressure. The Ministry of the Interior introduced an ‘emergency reception programme’ which had the goal of redistributing the new inflows of asylum seekers among the regions according to quotas calculated as ratios on the total resident population. In this new scenario, regional authorities, both ordinary and autonomous, have been assigned shared administrative competence in the implementation of emergency reception. As we shall see more in-depth below, the Prefectures should though coordinate with regional authorities in deciding the location of ‘emergency reception centres’, while it is responsibility of the regions to oversee implementation.

Hence, the division of responsibility between the central state and the regions on immigrants' reception policies in Italy is complex and fuzzy in many respects. If on the paper, after the Constitutional Reform of 2001 most competences were regionalized, the introduction of the Integration Agreement in 2009 and the centralisation of the asylum seekers reception since 2011 have clearly challenged regional autonomy on the matter.

## **Intergovernmental Relations on Integration Policies. A General Overview**

Notwithstanding the non-federal institutional structure of Italy, vertical IGRs have been institutionalized since 1983 through the ‘Conference of the State, the Regions and the two Autonomous Provinces’.<sup>4</sup> According to Ruggiu, the State–Regions Conference developed over the years from a ‘ghost’ institution in the 1980s to a shadow of the government in the 1990s, to a para-federal institution in the last decade (2000: 859). This development reflects the more general move

towards a federalized state structure described above. As of today, the Conference formally represents the main venue where consultation and cooperation between the State and the regions takes place on all matters of regional interest (Pizzetti, 2000: 480).<sup>5</sup>

IGRs are also institutionalized at a horizontal level through the Conference of the Regions and Autonomous Provinces, established in 1981. With the establishment and strengthening of the State–Regions Conference, the Conference of the Regions gained increasing political relevance. Both conferences are attended by the presidents of the regions and of the two Autonomous Provinces, of Trento and South Tyrol, whereas in the State–Regions Conference the State is represented by the Prime Minister and the Minister of Regional Affairs as well as the Minister of the topic of interest.

Regarding the specific issue of immigrant integration policies, since the Constitutional Reform of 2001 there is some coordination with the national government through the State–Regions Conference. From January 2010 to December 2016, on a total of 89 meetings of the State – Regions Conference, issues linked to migration and integration policies were discussed 15 times, and in a total of 963 official approved documents on health and welfare between 2008 and 2016, 42 documents or 4.3% concerned issues linked to migration. The majority of the discussions considered access to welfare, particularly for irregular migrants (9 discussions), migrant’s vocational training (3) and unaccompanied minors (3). In most cases, the issue debated was financing, leading to conflicts between the regions and the State.

Matters of funding have been at the centre of regions’ appeals to the Constitutional Court, whereas the State’s appeals have primarily been concerned with the constitutional legitimacy of regional laws on migration (see e.g. Passaglia, 2013, on the integration law of Tuscany; Casamassima, 2013, on the integration law of Marche). Since regionalized competences are supposed to be executed in the ‘respect of national principles’, this has led not only to a high level of interaction and institutionalisation of IGR, but also to frequent conflicts. Besides challenging the laws of Emilia Romagna (in 2005), Tuscany, Puglia, Liguria and Marche (in 2010), Campania (in 2011) and Calabria (in 2013), due to a conflict of ‘national interests’ in 2012 the national government brought also the immigrant integration law of the province of South Tyrol to the Constitutional Court (Medda-Windischer, 2015: 108).

Although systematic analyses are not available (for a partial exception see Vrenna, 2013), studies on the Constitutional Court’s judgements on immigrant integration seem to confirm that political incongruence play a role in the conflicts. Appeals against the centre-left Amato government (2006-2008) were undertaken primarily by regions governed by right-wing majorities, while the centre-right 4th Berlusconi government (March 2008–November 2011) was particularly active in appealing the laws approved by centre-left regions. However, it is worth to underline that no conflict emerged within the policy field object of this analysis, i.e. reception policies.

Besides multilateral relations between the State, the regions and the two Autonomous Provinces, bilateral IGRs are of particular importance for the autonomous regions/provinces. For that purpose a formal bilateral commission has been set up for each autonomous region, such as the ‘Commission of six’ for the province of South Tyrol, composed of three representatives of the State and three representatives of the Autonomous Province. The Commission has the primary goal of negotiating the implementation of the autonomy statute (Woelk, 2008) but has so far never discussed issues on immigration or integration.

In the case of the ordinary regions, bilateral relations appear less formalized and more ad hoc, as in the case of direct participation of the presidents of the regions in the Council of Ministers when issues of a regional interest are discussed or in bilateral commissions set up on specific



issues. However, informal and ad hoc coordination is a channel also available to the autonomous regions. The informal meetings between the president of the province and the Ministers of Interior and of International Affairs during *Brennero* crisis in early 2016, when Austria announced its intention to close the border, are a case in point.

After having presented a general overview of IGR in the field of integration, we are now moving to analyse the specific dynamics occurring for the subfield on reception policies.

### **In Depth Analysis of IGRs on Reception Policies - Piedmont and South Tyrol**

In this section, we focus on reception policies, which have always been a central component of immigrant integration policy in Italy. We consider both the reception policies towards migrants for work and family reasons, which consist in the provision of language and civic integration courses, and the highly topical issue of the reception of asylum-seekers and refugees, which concerns their housing and lodging, as well as the language courses and vocational training. Evidence on IGR is drawn from empirical research which has been carried out on each of the two types of reception policies (see endnote 1).

#### *Reception Policies for Asylum-Seekers*

Along with the massive arrivals already mentioned, the development of the Common European Asylum System has played a role in putting into question the SPRAR programme of reception of asylum-seekers and refugees. Whereas, as described above, this was centred on municipalities, the current reception system has strengthened the role of the national government and the regions.

Starting with Legislative Decree n. 140/2005, which transposed the EU directive ‘On minimum standards for the reception of asylum seekers’ (2003/9/EC), a process of recentralisation of competence began to take place. According to the Decree, in case of unavailability of places in the SPRAR accommodation centres, asylum-seekers could be temporarily hosted in the centres set up by the Prefectures, which are under the control of the Ministry of the Interior. After February 2011, when, in order to confront the North Africa refugee crisis the then centre right government, the 4th Berlusconi government (March 2008–November 2011), declared a state of emergency, these prefectures’ centres became the main reception system. Responsibility was put into the hands of the Ministry of the Interior while marginalising the SPRAR system. Such a recentralisation was contested by the local and regional authorities, and especially by those where the first reception centres were located, i.e. primarily Sicily and Apulia.<sup>6</sup>

To address this reaction, at the end of March the government decided to convene a Unified State–Regions Conference to discuss how to better coordinate possible solutions among different governmental levels. According to the minutes of this meeting,<sup>7</sup> the then–Minister of the Interior, Roberto Maroni of the *Lega Nord*, emphasized the need for inter-governmental collaboration in order to sort out ‘shared’ and efficient measures to face the emergency. The main contentious issue was the reception of the 18,000 Tunisian citizens who landed on the shores of Lampedusa and who, even when considered by the government to be ‘undocumented migrants’, could not be repatriated since Tunisian authorities were not collaborating. The solution envisaged by the national government was an equal distribution of ‘the burden’ among the regions. The regions had the task of identifying, together with the municipalities, places of accommodation for the migrants, the costs of which were covered by the national government.

However, this solution was not only contested by the National Association of Municipalities (ANCI), which requested a strengthening of the SPRAR system, but also caused an increase in conflict in horizontal IGR, i.e. among the regions, primarily but not only following political party (in)congruence. As emerging from the minutes of the meeting, the President of the

Conference of the Regions Vasco Errani, the centre left governor of Emilia Romagna (Democratic Party), proposed releasing a humanitarian permit for all undocumented Tunisian, to grant them access to regional reception policies. This move was contested by centre-right regions like Veneto and Piedmont; however it was also opposed by South Tyrol, which at the time was governed by a coalition of PD and the regionalist South Tyrolean People's Party (SVP), who agreed only to host 'proper asylum-seekers', i.e. primarily Eritreans.<sup>8</sup>

These political divisions notwithstanding, in the Unified Conference of March 30th 2011 the regions were unanimous in requesting the institutionalisation of IGR on humanitarian refugees' reception policies through the establishment of a permanent National Steering Committee to monitor the re-allocation of asylum-seekers.<sup>9</sup> The Unified Conference agreed that the Committee had to be formed by the Minister of Interior, the Minister of Regional Affairs, and representatives of ANCI, the Association of the Provinces (UPI) and the Conference of Regions and Autonomous Provinces. Hence, this agreement sanctioned the emergence of a system of shared competence between national and regional governments in the reception of migrants and asylum-seekers. From that moment on, the regions, which had no role in the SPRAR system, became more involved with the issue. The new multilateral IGR system was further institutionalized in the National Reception Plan approved by the Unified Conference in April 2014, and incorporated into the Legislative Decree n. 142/2015 which transposed the new Reception Condition Directive.

This increasing institutionalisation of IGR resulted in more intense cooperation but also in greater conflict between levels of government. Along with the National Steering Committee's multilateral cooperation framework, it is important to point out that IGR on the reception of asylum seekers have also followed the route of bilateral agreements. In particular, a bilateral agreement was signed by the Piedmont Region with the Ministry of Labour in December 2014 in order to improve the integration of measures targeting migrants and better exploiting the opportunities offered by different national and European funds<sup>10</sup>. Besides Piedmont, other 16 regions, but not Veneto, and neither South Tyrol nor the Autonomous Province of Trento, signed similar agreements.<sup>11</sup> The two Autonomous Provinces have underlined, once more, their autonomy and independence in the governance of the issue.

#### *Reception Policies for Economic and Family Migrants: Italian Language (and Civic) Education Policies.*

As mentioned before, for a long time responsibility for reception policies has been fully regionalized. In the mid-2000s, though, the national government began to promote ad-hoc bilateral relations with some regions on Italian language and civic education for immigrants, leading to the signing of specific bilateral agreements. By allocating a specific amount of national resources, the national Ministry of Labour pressured regional governments to become more active in organising and coordinating language reception services. Piedmont was one of the regions to sign these types of agreements, as early as 2006. On contrast, South Tyrol, which enjoys legislative competence on vocational training, never signed such an agreement.

In 2009, the introduction of the national 'Integration Agreement' (IA) (see above), led to an intensification of IGRs on language and civic integration courses. The Unified Conference was convened in 2010 to discuss the implementation of the IA. On that occasion, the regions expressed several criticisms, complaining in particular about the lack of adequate financial resources and the unclear division of tasks between different levels of government.<sup>12</sup> However, two conflicting views emerged. Whereas eight regions governed by centre-left coalitions expressed a negative opinion on the IA, including Piedmont, other nine regions, all ruled by centre-right governments, were favourable to it. South Tyrol, even if ruled by a centre-left government, abstained from taking any

critical position towards the national government, and actually was not present in the meeting of the State-Regions Conference.

Since the fulfilment of the IA impacts heavily on the renewal of residence permits (see above § 1.), coordination of the integration courses provided at a regional level became a national priority (Testore, 2015). To this end, the main available resources identified by the national government were those of the European Integration Fund (EIF) (see also Biondi Dal Monte and Vrenna, 2013). Their employment was actually crucial not only because it provided an opportunity for the implementation of the IA but also because it contributed to the intensification and institutionalisation of IGRs on the reception of newcomers. The annual planning of the EIF became a venue for consultation and cooperation between States and Regions (Testore forthcoming). In addition, national civil servants began to involve representatives of the regions with the goal of exchanging information, standardising services and stimulating the adoption of specific regional programmes on language/civic education (2010).<sup>13</sup> The national ministries of the Interior and Education created an Inter-institutional Working Group also involving Regional Education Offices and representatives of regional governments.

South Tyrol did not participate in this multilateral cooperation platform. In fact, the province enjoys regionalized competence on matters of education because of its Italian-German bilingual territory. As a consequence, bilateral negotiations with the national government were carried out in order to adapt the IA to these specific local conditions. In particular, the representative of the SVP in the national parliament requested a modification of the IA to include the possibility of learning German instead of Italian based on the argument that imposing a language test solely in Italian would have violated the principle of bilingualism of the autonomy statute (Carlà, 2013). However, the national parliament rejected the request answering that the residence permit was valid for the whole Italian territory, and therefore knowledge of the Italian language was a necessary condition for its renewal. Also, the option of leaving to migrants the choice between taking the test in either Italian or German was rejected (Carlà, 2013: 83-84). The agreement reached in the Constitutional Commission of the Senate confirmed the mandatory character of the Italian language test, but allowed migrants to earn additional credits by also taking a test in German.<sup>14</sup>

Thus, South Tyrol has only partially succeeded, through bilateral negotiations, in adapting the national framework to the cultural and linguistic particularities of the territory. However, since credit for competency in the German language is supplemental, there is little demand among migrants for these courses, and hence the value of the agreement is mostly symbolic.

### **Explaining IGRs in Italy**

The analysis carried out above is certainly not exhaustive of all IGR in relation to immigrant integration in Italy. Yet, it represents a first attempt to fill a gap in the literature that, as pointed out in the Introduction, so far has devoted scarce attention to relations between tiers of government.

Summarising, from our analysis of the Italian case we gain three insights into the features of IGR. First we observe an increasing institutionalisation of IGRs on reception policies both for economic migrants as well as for asylum seekers over the last decade, leading to the creation of new structures like the National Steering Committee to monitor the re-allocation of asylum-seekers or the Inter-institutional Working Group of the ministries of the Interior and Education. Second, we show that the features of IGR depend also on the sub-areas: interaction between the central and the regional governments in relation to asylum seekers, is more intense and conflictious than in relation to economic migrants, where collaboration generally prevails (with the exception of the

implementation of the IA in South Tyrol). Finally, we show that ordinary and autonomous regions differ mainly in relation to the degree of institutionalization of IGRs and the form that takes: Institutionalized and multilateral relations have prevailed especially in the case of an ordinary region as Piedmont, whereas with regard to South Tyrol, an autonomous province, it can be argued that bilateral relations still seem to prevail over institutionalized multilateral arenas (e.g. the Commission of six).

Moving towards the explanations for the particular Italian case, we can confirm the hypotheses proposed in this special issue only partially. H1 predicts that federal structures will lead to multilateral negotiations, a greater degree of institutionalization of IGR, high interaction and conflictual relations, whereas regionalized and unitary structures should lead to bilateral negotiations, non-institutionalized forms of IGR, low and less conflictual interactions. We find contradictory processes. For ordinary regions the progressive transformation of Italy from a regionalized towards a federal state in the early 2000s has led to an increasing relevance of the State-Regions Conference, and therefore, coherent multilateral relations have become more relevant, notably in cases of shared legislative competence. Nevertheless, bilateral relations still remain important, as pointed out by the bilateral agreements signed between most of these regions (at the time of writing all but Veneto) and the central government on the reception and integration of migrants. With regard to autonomous regions, we should expect a pervalence of multilateral relations due to their federal arrangements within the state. On the contrary, we find that in South Tyrol bilateral relations prevail over institutionalized multilateral arenas, and contrary to expectation, bilateral IGR between national government and autonomous regions appear often conflictual (see the case of the IA).

Also H2, which argues that IGR will be more interactive and conflictive when competencies are shared we can only partially confirm. In the course of the last two decades, IGR in the two sub-fields of reception policies have converged towards increasing administratively shared responsibility, implying indeed more intense interactions, however, as already mentioned above these have been conflictual only on the case of asylum seekers and far less on that of legal economic and family migrants, where tensions have emerged only in the case of South Tyrol.

To explain these muddled patterns let's move now beyond hypotheses based on institutional structure (H1) and competence allocation (H2), to consider other explanatory factors, i.e. partisan politics dynamics (H3), sub-state claims to distinctiveness and the presence of a regionalist party (H4), Europeanisation (H5) and issue salience (H6).

Regarding party-political dynamics, the case of Italy supports H3, according to which the likelihood of collaboration or conflict is linked to party (in)congruence. As we have pointed out above, party incongruence influences the emergence of conflicts in different institutional arenas (e.g. the Unified Conference and the Constitutional Court), whereas when the same political party is in office at the state and regional level, collaboration prevails.

However, from our more in-depth analysis of reception policies, one caveat emerges: adversarial IGRs seem to take place primarily at the horizontal level, i.e. between regions governed by different parties, rather than at the vertical level. In fact, in the case of both the IA and of asylum-seekers and refugees, complaints and critiques from the regions have not impeded the reaching of an agreement on how to concretely deal with these two issues. No appeals to the Constitutional Court have been undertaken neither on the part of the national government nor of the regions, signalling a lower degree of vertical conflict on these two specific issues when compared to other aspects of integration policies such as local voting rights or asylum seekers' access to social services.

As for the role played by regionalist parties (H4), South Tyrol provides us with particularly relevant insights, especially when compared to Piedmont. IGRs between the Autonomous Province and the State in the field of integration while usually characterized by low interaction, have become particularly adversarial when the linguistic distinctiveness of the territory or of the autonomy framework have been challenged (e.g. monolingual Italian language tests vs. the request to respect bilingualism). The negotiations between the State and the province on the IA can be interpreted as illustrating the role of sub-state claims to distinctiveness in explaining an intensification of conflicting IGRs. On the other hand, in the case of Piedmont, the *Lega Nord*, while being a regionalist party, has never articulated specific ‘regional claims’ concerning integration, but rather has supported the policies promoted by the centre-right national government. This seems to suggest a specification of H4: rather than focusing solely on the presence of a regionalist party, we need to consider the strength and rootedness of claims for autonomy and situations of cultural-linguistic conflicts.

With respect to the hypothesis that European integration intensifies IGR (H5), leading also to more multilateral and institutionalized relations, findings are again mixed. The directive on the minimum standards for the reception of asylum-seekers’ (2003/9/EC) and of applicants for international protection (2013/33/EU), explicitly demand more coordination and standardisation of services, and, as a consequence, the Italian laws transposing these directives have institutionalized a system of multilateral IGRs. At the same time, managing the European Integration Fund (as well as other European funds) has led to an intensification of IGRs, yet not of an institutionalized and multilateral kind, since in this case relations tend to be more informal and based on civil servants’ consultation. Therefore, Europeanisation seems to have intensified IGR, but contributed as much to both institutionalized and informal, multilateral and bilateral IGR, depending on the characteristics of the European instrument at hand.

When considering the various hypotheses, we find that issue salience (H6) stands out as a crucial explanatory variable of IGR on reception policies in Italy, further highlighting the difference between ordinary and autonomous regions. While the impact of issue salience in the conflictive nature of IGR seems very plausible at first instance, the link between the two has been little scrutinized in studies of IGR (an exception is McEwen et al., 2012). The refugee crisis, because of its sense of urgency, appears to have pushed towards greater effort of coordination on the part of the central government and institutionalisation of IGRs, but also towards a greater level of conflict especially in horizontal IGRs. In contrast, on the less politically salient issue of the IA, informal and cooperative IGRs prevailed, involving primarily civil servants with expertise on education and language issues. This has not been the case in South Tyrol because of the province’s bilingual identity and autonomous status: the IA represented a contentious issue, and political leaders were directly involved in bilateral negotiations with the national government. Our comparative case-study hence shows, that we should take into account issue salience more systematically in further studies of IGR: it can contribute to the politicisation of immigrant integration,.

## **Conclusion**

Our analysis of IGRs on immigrant integration in Italy reflects the complex - and somewhat fuzzy – institutional configuration of ‘federalism in the making’ (Palermo, 2010). Making reference to the four main aspects raised by Hepburn and Adam (Introduction to this Special Issue) our analysis shows an increasing intensification and institutionalization of IGRs (1 & 3) as well as the prevalence of multilateral relations between the central state and ordinary regions and greater

reliance on bilateral interaction between the state and autonomous regions instead (2). In addition, IGRs appear more conflictive in relation to asylum seekers than in relation to economic and family migrants (4), even though conflict appears predominantly at the horizontal level, between ordinary regions.

We link those developments to fundamental drivers of IGRs, observing poor explanatory performance of traditional explanation of IGRs (H1 & H2) and highlight the stronger explanatory power of other hypotheses, notably of sub-state regionalism (H4), European pressure (H5) and issue salience (H6). Moreover, we confirm that these factors impact differently on the ‘conflictual’ or ‘collaborative’ nature of IGRs. Whereas collaboration is likely to be favoured by political congruence and party allegiance, regional autonomy claims and the rising of particularly salient issues can lead to adversarial interactions even when similar parties are in government at a regional and national level.

The findings of this study contribute to both, the literature on IGRs as well as to literature on immigrant integration policies. It adds to the literature on IGR the hypothesis of issue salience, which emerges from our in-depth analysis of IGRs on reception measures. When an issue is perceived as particularly salient from a political point of view, at either a national or at a regional level, IGR dynamics become particularly adversarial, no matter their specific structure (i.e. if multi- or bilateral, institutionalized or informal). The recent refugee crisis at the national level, as well as the heightened political discussions on the Integration Agreement in South Tyrol are cases in point. However, an increase in conflict may occur only at horizontal level without involving vertical IGRs or however without impeding the reaching of an agreement at the vertical level.

As regards the second stream of literature, i.e. immigrant integration policy studies, in the last decade a ‘local policy turn’ has indeed taken place (Zapata-Barrero et al., 2017). Yet most research is still focused on policy contents, while policy-making processes in complex multi-level political systems remain obscure in many respects. Our in-depth investigation of policy processes on two specific immigrant reception measures in Italy shows how conflict and cooperation between levels of governments are likely to occur at the same time and somehow represent the two faces of the same coin, even when venues for cooperation and negotiation have been formally set up. In other terms, even though in the last decade IGRs on immigrant integration in Italy have indeed intensified and institutionalized, as clearly pointed out in the specific cases of the IA and of asylum seekers’ reception, effective coordination seems still far away.

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<sup>1</sup> The formal administrative name of South Tyrol is „Autonomous Province of Bozen-Bolzano“.

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<sup>4</sup> Conferenza Stato – Regioni e Province autonome, D.P.C.M., 12 October 1983, <http://www.statoregioni.it/>. It forms together with the “Conference of the State and the Cities and local autonomies” the “Unified Conference” DPCM, 2 July 1996, and D.Lgs. 28 August 1997, n. 281, “Unified Conference”, d. lgs. 28 August 1997, n. 281.

<sup>5</sup> The 1997 Bassanini-Reform made consultation of the Conference in all matters involving regions compulsory

<sup>6</sup> See for instance the wide media coverage of the protests of the then Governor of Apulia, Niki Vendola (centre-left) towards the Lega Nord Minister Roberto Maroni: ‘Mantonavo: Tendopoli a Manduria. Vendola: Il governo non bari’, *La Repubblica*, 25<sup>th</sup> March 2011.

<sup>7</sup> Presidenza del Consiglio dei Ministri, Conferenza Unificata, Verbale n. 6/2011, Seduta del 30 March 2011.

<sup>8</sup> “Regioni pronte ad accogliere profughi ma non clandestini”, official website of the Autonomous Province of Bolzano [http://www.provincia.bz.it/news/it/news.asp?news\\_action=4&news\\_article\\_id=357475](http://www.provincia.bz.it/news/it/news.asp?news_action=4&news_article_id=357475).

<sup>9</sup> See also the terms of the agreement with the government as reported in the Conference of the Regions and Local authorities newsletter: <http://www.regioni.it/newsletter/n-1766/del-30-03-2011/> (accessed the 20<sup>th</sup> of April 2017).

<sup>10</sup> Piedmont Planning Agreement December 2014

[http://www.integrazionemigranti.gov.it/leregioni/Documents/Documenti%20programmazione/piani%20integrati%20Oregionali/Piano\\_Integrato\\_Migranti\\_Piemonte.pdf](http://www.integrazionemigranti.gov.it/leregioni/Documents/Documenti%20programmazione/piani%20integrati%20Oregionali/Piano_Integrato_Migranti_Piemonte.pdf)

<sup>11</sup> See: <http://www.avvisopubblico.it/home/documentazione/immigrazione/gli-interventi-delle-regioni-in-materia-di-immigrazione-analisi-di-dettaglio> (accessed the 20<sup>th</sup> of April 2017).

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<sup>12</sup> Conference of the Regions and Autonomous Provinces, Technical Advice Note of 18 November 2010, <http://www.regioni.it/conferenze/2010/11/19/18112010-doc-approvato-immigrazione-parere-su-regolamento-che-disciplina-accordo-di-integrazione-104607/>

<sup>13</sup>

[http://www1.interno.gov.it/mininterno/export/sites/default/it/sezioni/sala\\_stamp/notizie/immigrazione/fondo\\_europeo\\_integrazione/2013\\_12\\_10\\_piani\\_regionali.html\\_1613762.html](http://www1.interno.gov.it/mininterno/export/sites/default/it/sezioni/sala_stamp/notizie/immigrazione/fondo_europeo_integrazione/2013_12_10_piani_regionali.html_1613762.html)

<sup>14</sup> The agreement was inserted as Art 6, 1-bis: Administration of the test in German as well as in Italian for foreigners who live in the Bolzano province, is valid for granting further credits under section 8 of Annex B. See also <http://altoadige.gelocal.it/bolzano/cronaca/2011/02/09/news/per-l-immigrato-test-in-italiano-o-in-tedesco-1.4201300>.